

Cold Spring Zoning Update

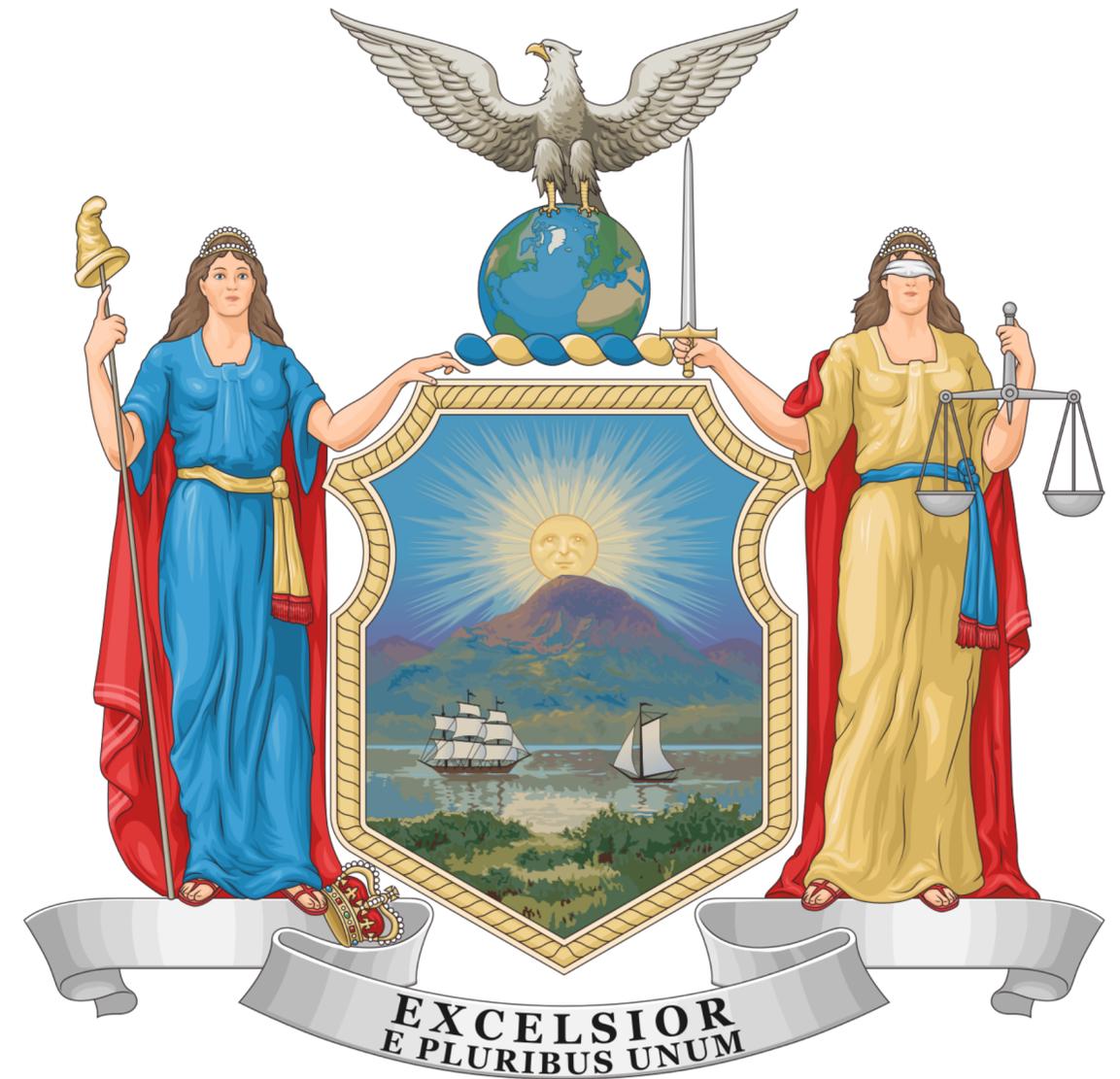
Proposed Amendments to Chapter 134

April 19, 2023

Ted Fink, AICP

New York State Village Law:

- ▶ ***“Among the most important powers and duties granted by the legislature to a village government is the authority and responsibility to undertake village comprehensive planning and to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens.” [NYS Village Law § 7-722.1(b)]***
- ▶ ***“All village land use regulations must be in accordance with a comprehensive plan.” [NYS Village Law § 7-722.11(a)]***



Important Plan Policies Driving Zoning Update:

- ▶ ***“Preserve and enhance the small town, historic, neighborly, diverse and safe character of Village life.” (Goal # 1)***
- ▶ ***“Review and revise current zoning and land use regulations to recognize existing building forms and streetscapes and to make the regulations internally consistent, in keeping with the community’s vision and goals included in this plan.” (Policy 1.1.1)***
- ▶ ***“Recognize the unique characteristics of the Village’s historic neighborhoods by adopting standards to protect and reinforce their character in such areas as shared relationships of structures to streets, sidewalks, building height and mass, porches, roof character, window styles, lot and street width.” (Policy 1.2.1)***

Village of Cold Spring Comprehensive Plan

December 7, 2011 Adopted January 10, 2012



Special Board Members:
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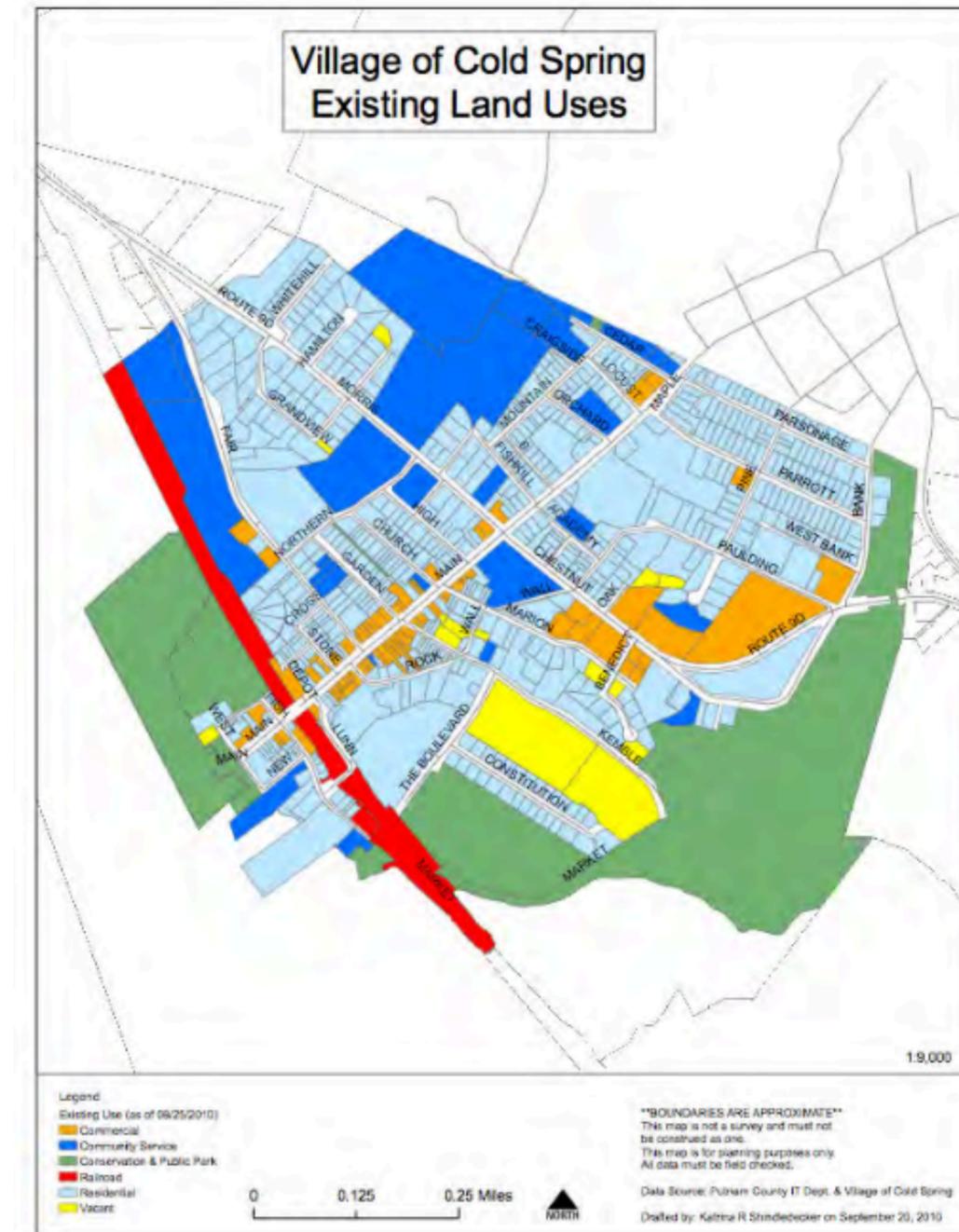
The Village of Cold Spring received financial assistance for this work from the Hudson River Valley Greenway and from the New York State Department of State Division of Coastal Resources with funds provided under Title 11 of the Environmental Protection Fund.



Dated: December 7, 2011 Adopted January 10, 2012

Important Plan Policies Driving Zoning Update:

- ▶ ***“Amend the Zoning Law to require a variety of housing types and sizes in new major projects, consistent with traditional Village neighborhoods, to accommodate a variety of age and income groups and residential preferences. Allow single family, two- family, multi-family, cottage dwellings, live-work and work-live units, among others, all with performance standards to control impacts.” (Policy 1.4.1)***
- ▶ ***“Review land use regulations set forth in the Village Code and modify as necessary to ensure clarity and internal consistency” (Policy 5.13.2)***
- ▶ ***“Explore the use of form-based zoning for new development and redevelopment” (Policy 7.1.3)***
- ▶ ***“Amend the Zoning Code to require appropriate scale, setbacks, streetscape and design features consistent with Village character” (Policy 7.2.6)***



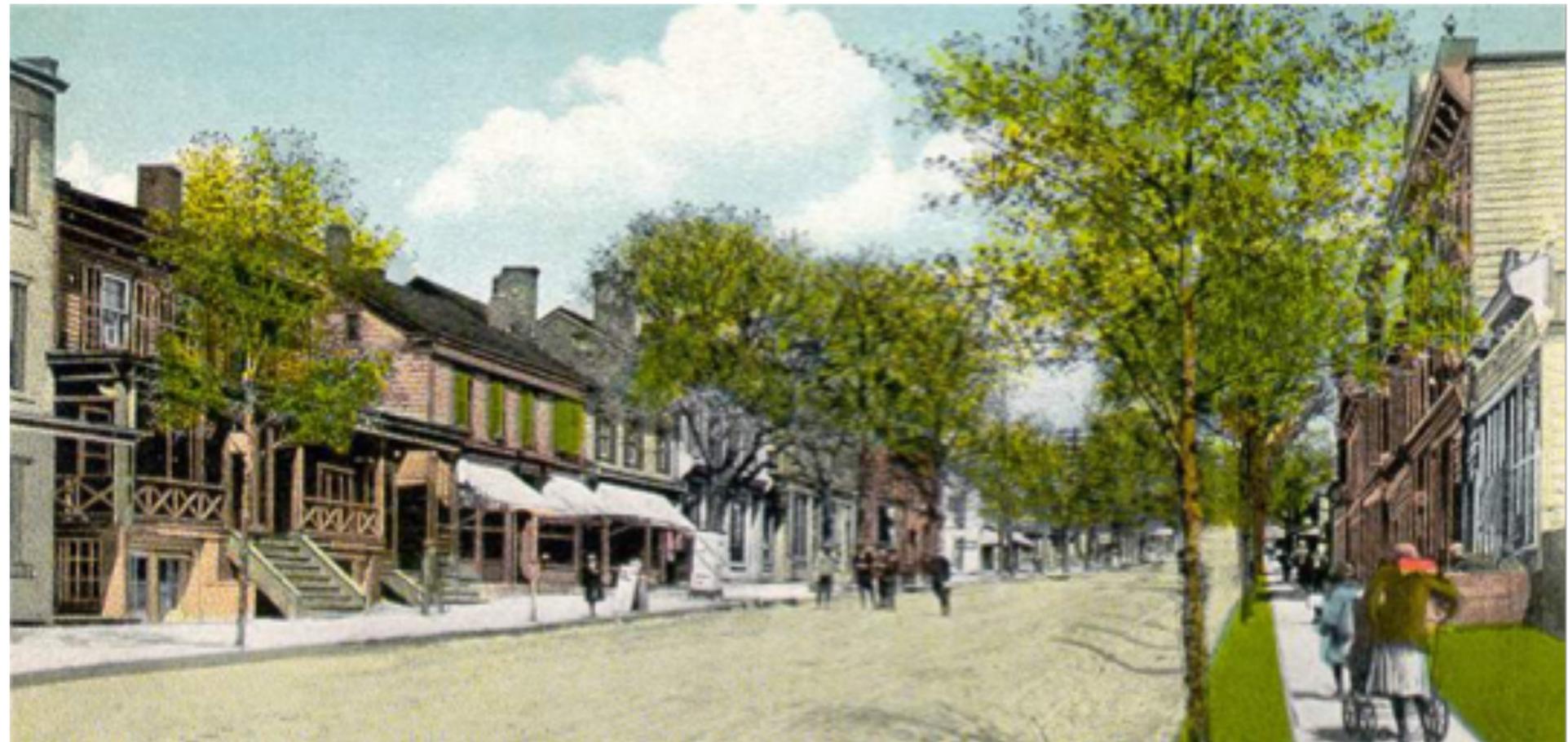
WHAT IS CLEAR

From Comprehensive Plan & Current Zoning Process:

The traditional Village could not be rebuilt as it is today under existing zoning

“The Village adopted a Zoning Law in 1967 that generally followed suburban models that, for the most part, ignored the existing pattern of development in the Village.”

[Comprehensive Plan p. 17]



Main Street Early 1900's Before Zoning

Work Toward Code Updates

2014 to 2021:

- ▶ **Following Plan (and LWRS) adoption, Village obtained grant to implement 2012 Plan by updating Zoning**
- ▶ **Updating Zoning pre-requisite for State & Federal LWRP approval**
- ▶ **Appointed Code Update Committee (CUC) worked to develop numerous amendments to the entire Village Code, including Zoning**
- ▶ **Most Code Updates proposed by CUC were adopted by November 2021**
- ▶ **Zoning, due to its complexity, needed additional time to complete**



Ad Hoc Working Group on Zoning Update

Formed by Mayor in Spring 2022:

Members:

Trustee Laura Bozzi, former ZBA Member

Ted Fink, AICP, Consulting Planner

Mayor Kathleen E. Foley

Paul Henderson, former CUC Member

Donald MacDonald, former ZBA & CUC member

Jesse St. Charles, ZBA Member

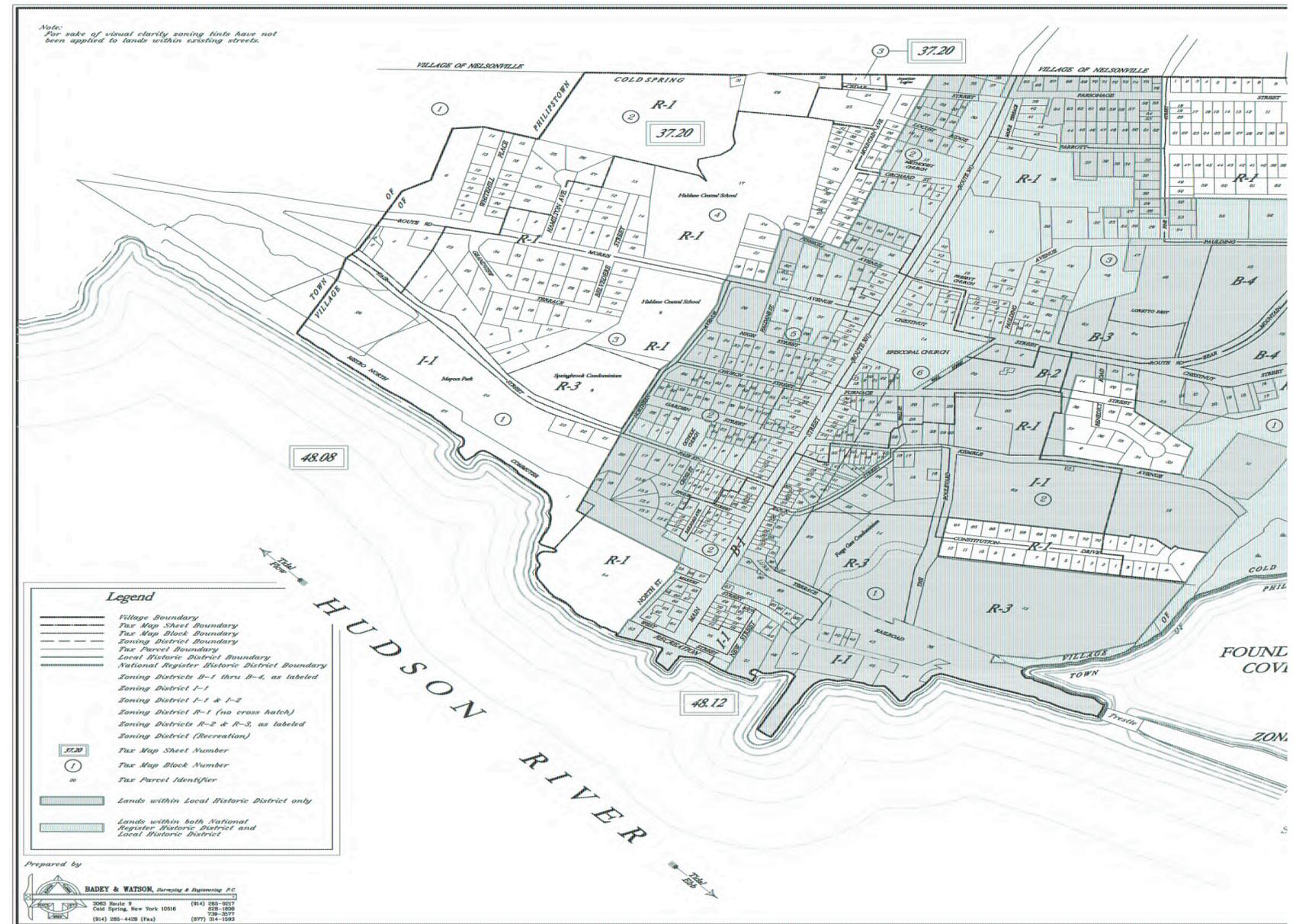
Eric Wirth, ZBA Chair



Work Group continued where CUC left off

Ad Hoc Working Group Goals

1. Code updates consistent with Village Comprehensive Plan
2. Ensure future development is aligned with Village priorities so Cold Spring has the tools it needs to retain traditional character
3. Reduce burden on property owners (and Village officials) by reducing nonconformities
4. Improve accessibility by using plain language and visuals where possible
5. Regain compliance with current NY State Village Law
6. Provide more direct control over Marathon's future development & impacts by planned rather than piecemeal build-out
7. Comply with NYSERDA contract
8. Complete multi-year process to enable LWRP



Why Change Zoning?

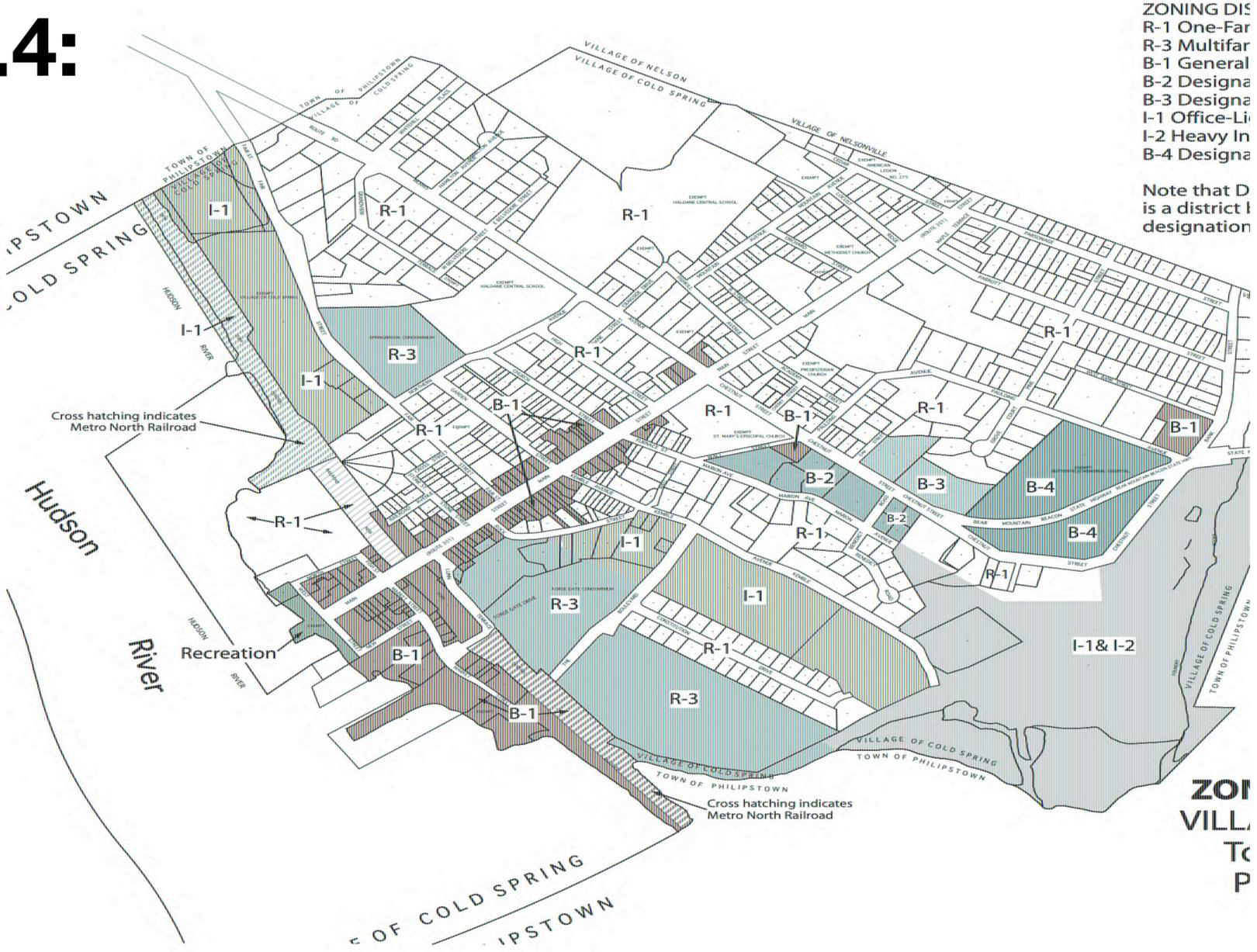
- ▶ Cold Spring's diverse traditional neighborhoods mostly built on pre-zoning patterns & designs
- ▶ Current Zoning modeled on suburban templates
- ▶ Regulatory burden on residents is large because most changes require variances = costs
- ▶ New development can fit Village character if proven planning techniques are made available



Task 1

Comprehensive Plan Policy 1.3.4:

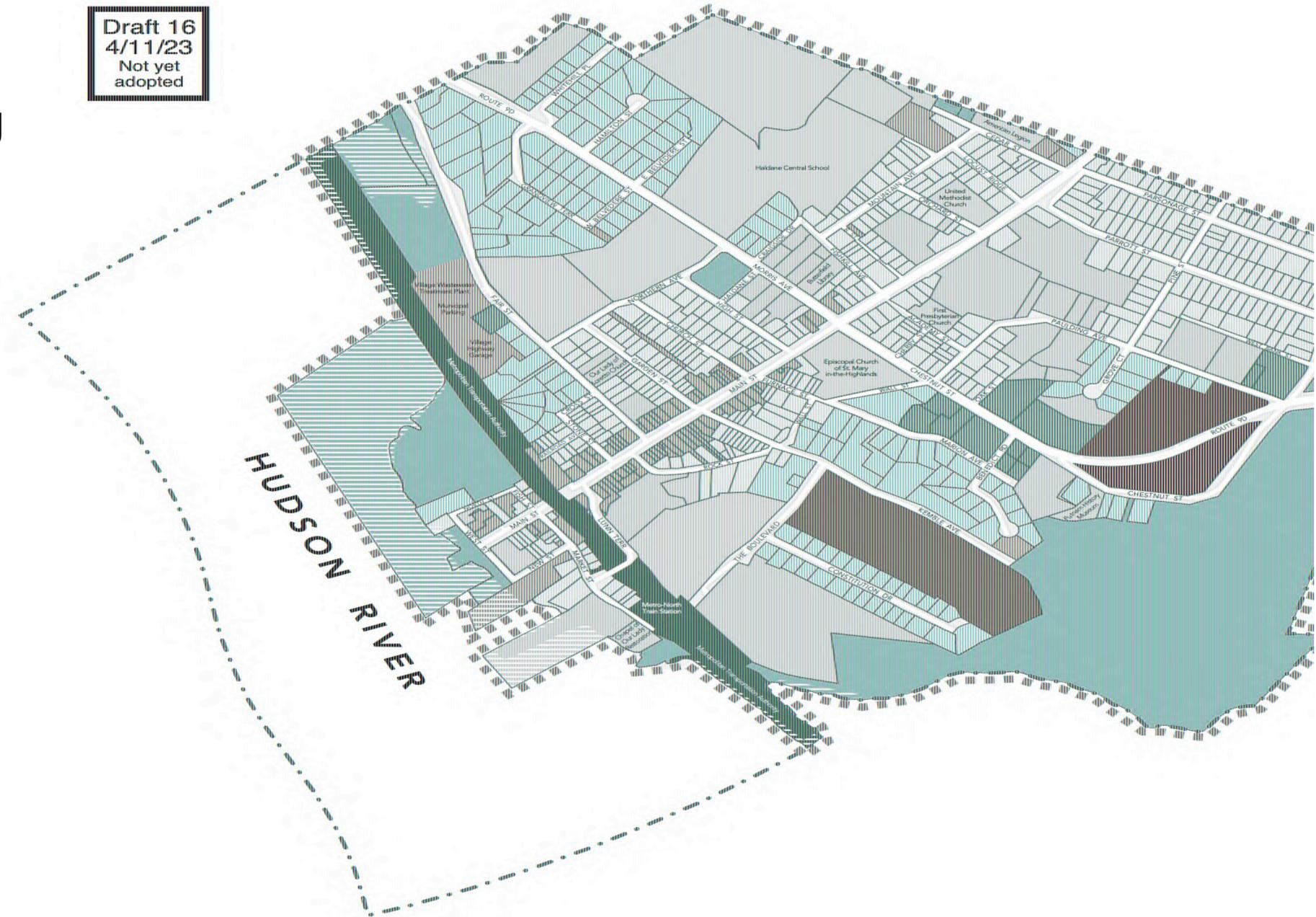
“Update the zoning map so that it implements the recommendations of the Comprehensive Plan.”



Task 1

Proposed Zoning Map:

- ▶ R-1 divided into three subdistricts reflecting existing neighborhood character in each
- ▶ Parks & Recreation District for existing parkland
- ▶ Civic Uses District for lands devoted to municipal functions
- ▶ New ERC District for uses devoted to learning, culture or religion
- ▶ Industrial districts and industrial uses eliminated by PMU, PR, & C districts
- ▶ Scenic Viewshed District added to the Zoning map
- ▶ Transportation District for railroad operations

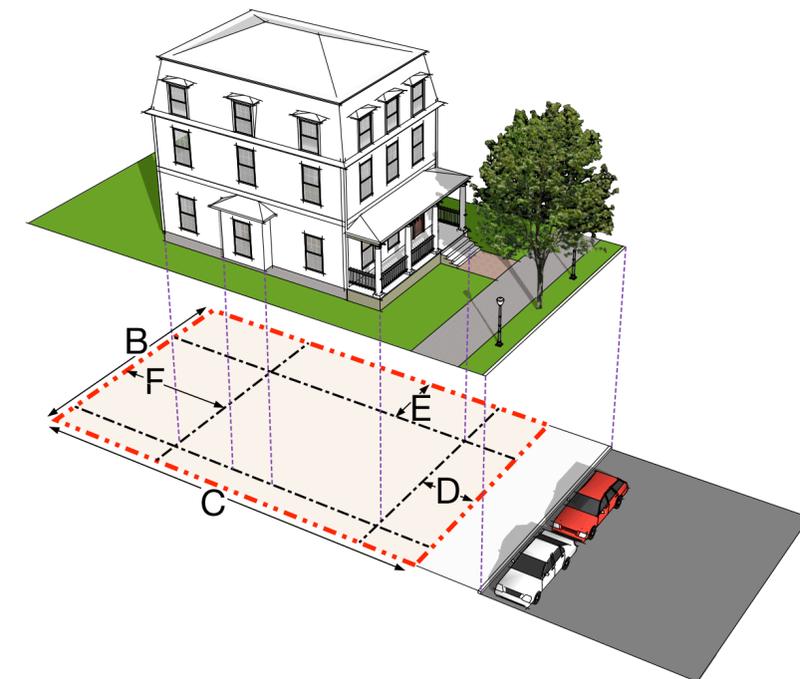


Task 1: Enhance Residential Districts

Tailor bulk standards to what exists, correct ambiguities in Code, relieve burden on landowners to obtain ZBA approval for improvements

Supplement standards with Form Based Code (FBC) graphics so scale, context, and design traditions of Village can be visualized and clearly communicated

Examine Poughkeepsie, Warwick, Red Hook, Rhinebeck & other historic Hudson Valley neighborhoods to assess their FBC standards for new development



Task 1: Enhance Residential Districts

- ▶ Provide clear direction for development & redevelopment by addressing deficiencies in Zoning
- ▶ Simplify & reorganize Zoning Law where needed
- ▶ Update PB site plan & special use permit review and ZBA variance requirements
- ▶ Address affordability so Cold Springers can remain in Village
- ▶ Ensure Marathon uses & density are a reflection existing neighborhoods

TABLE 6A: TABLE OF USES PERMITTED BY DISTRICT

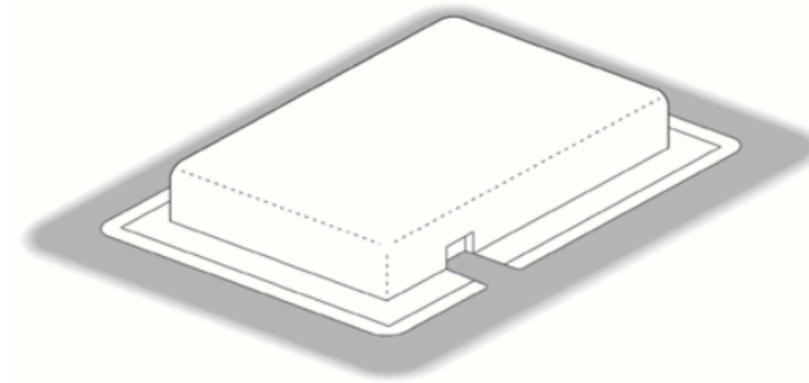
	R-O	R-N	R-L	MF	B-1	B-2	B-3	B-4	PMU	PR	C	ERC
Residential Uses												
One-Family Dwelling	P	P	P	P	SP	–	SP	P	P	–	–	–
Two-Family Dwelling	SP	SP	SP	P	SP	–	–	–	P	–	–	–
Multi-Family Dwelling	–	–	–	P*3	SP*3	–	SP*11	–	P*3	–	–	–
Accessory Apartment	SP	SP	SP	–	–	–	–	–	SP	–	–	–
Cottage Court	–	–	–	–	–	–	–	–	P*4	–	–	–
1-family to 2-family conversion	SU	SU	SU	SU	SU	–	–	SP	SP	–	–	–
1-Family/2-Family to Multi conversion	–	–	SU	–	SU	–	–	SP	SP	–	–	–
Home Occupation, Class 1	P	P	P	P	P	–	–	P	P	–	–	–
Home Occupation, Class 2	SP	SP	SP	SP	SP	–	–	SP	SP	–	–	–
Home Professional Office	SP	SP	SP	SP	SP	–	–	P	P	–	–	–
Live-work unit	–	–	–	–	–	–	–	–	P	–	–	–
Group Home	–	SU	SU	–	–	–	–	–	–	–	–	–
Family Day care home	P	P	P	P	SP	–	–	–	SP	–	–	–
Commercial Uses												
Bank	–	–	–	–	SP	SP	SP	P	–	–	–	–
Bar	–	–	–	–	SP	SP	–	–	–	–	–	–
Bed & Breakfast	–	–	SU	–	SU	–	–	–	–	–	–	–
Business/professional office	–	–	–	–	SP	SP	SP	P*7	SP*2	–	–	–
Commercial Amusements	–	–	–	–	SP	SP	–	–	–	–	–	–
Day care center	–	–	–	–	–	P	–	–	–	–	–	–
Funeral home	–	–	–	–	–	–	–	–	–	–	–	–
Health & fitness establishment	–	–	–	–	SP	SP	–	–	SP	–	–	–
Health-related facility	–	–	–	–	–	SP	SP	P	–	–	–	–
Hospital or sanatorium	–	–	–	–	–	–	SP	P	–	–	–	–
Hotel	–	–	–	–	SP	–	–	–	–	–	–	–
Marina	–	–	–	–	–	–	–	–	–	–	SU	–
Mixed use	–	–	–	–	P*1	SP	–	P*8	SP	–	–	–
Nursing home	–	–	–	–	–	–	SP	P	–	–	–	–
Personal service shop	–	–	–	–	SP	–	–	P	SP*2	–	–	–
Restaurant	–	–	–	–	SP	SP	SP	P*9	SU	–	–	–

Task 2: Develop Process & Standards for Mixed Use District

- ▶ **Address potential for carefully planned re-development of the Marathon site (currently zoned industrial) so it is “well integrated in the fabric of the community” [Comprehensive Plan Goal 7.2]**
- ▶ **EPA has authorized potential development on the site with conditions** [see <https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0201491>]
- ▶ **Retaining industrial zoning not aligned with Village Plan**

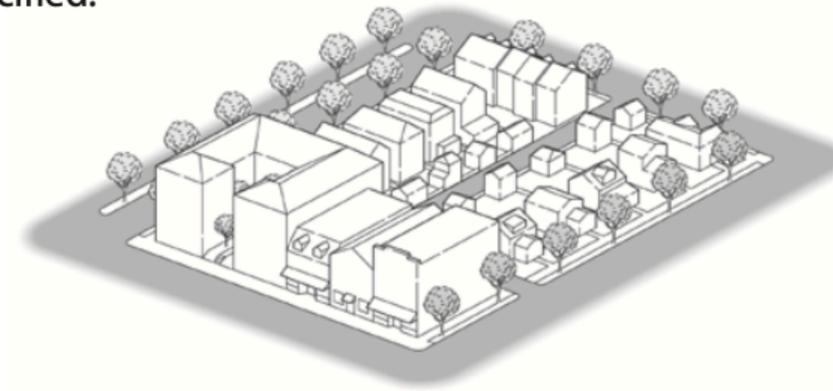
How zoning defines a one-block parcel

Density, use, FAR (floor-area-ratio), setbacks, parking requirements and maximum building height(s) specified.



How form-based codes define a one-block parcel

Streets and building types (or mix of types), build-to lines, number of floors and percentage of built site frontage specified.



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Task 2 Continued:

Village Comprehensive Plan Policies for Marathon:

- ▶ *“Make appropriate access to and from the [Marathon and environs] area a prerequisite for any development there, ensuring that development does not create traffic problems that will unreasonably adversely affect current residents. [Plan Policy 7.2.2]*
- ▶ *“Consider rezoning the former Marathon site as mixed uses (such district to include residential, recreational, open space, work-live, small retail business and office uses) and require special use permits for any development on the Marathon site.” [Plan Policy 7.2.9]*
- ▶ *“Ensure the environmental integrity and safety of the former Marathon site by making certain that a thorough study and remediation of contaminants at the site are performed before development begins.” [Plan Policy 7.2.10]*
- ▶ *“For commercial development on the Marathon site, encourage businesses that would be tax positive and have low impact on the community in terms of traffic, noise, etc...” [Plan Policy 7.2.11]*

Task 2 Continued:

- ▶ Develop process to permit re-development of Marathon site using three-step review & approval
- ▶ Planning Board approval of a concept plan (PUD) special use permit first and then Planning Board site plan approvals to ensure Cold Spring can continue to be the place its residents want it to be [Comprehensive Plan Goal # 1]

List of current permitted uses on Marathon

- B. Permitted uses.
- (1) Any use permitted in R-1 One-Family Residence District.
 - (2) Buildings, structures, municipal parking and uses owned by the Village of Cold Spring. [Amended 2-7-95 by L.L. 95-2]
 - (3) Cemeteries and Mausoleums. [Amended 2-7-95 by L.L. 95-2]
 - (4) One-story buildings for display and sale of agricultural and nursery products.
 - (5) One (1) dwelling unit only, on any lot for the exclusive use of an attendant, watchman or caretaker employed in connection with any permitted use on said lot.
 - (6) Office buildings for editorial, business and professional offices, and research, design including incidental clinics, cafeterias and recreational facilities for the exclusive use of company employees. [Amended 2-7-95 by L.L. 95-2]
 - (7) Manufacturing, assembling, which operation, in the opinion of the Planning Board, will not create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazard, noise or vibration, smoke, dust, odor or other form of
 - (8) Lumber and building materials and equipment sales and storage, provided that any lot containing outdoor storage shall be surrounded by a fence or wall with a height of not less than six (6) feet. [Amended 2-7-95 by L.L. 95-2]
 - (9) One (1) sign facing each street from which access to the lot is provided, announcing the name or insignia, or both, of the company or companies housed in the development on the lot. Such sign shall not exceed ten (10) square feet and shall be placed in such a manner as not to be detrimental to safety of traffic. If illuminated at night, such illumination shall be indirect, with all light sources shielded from the view of adjacent lots and streets. One (1) identification sign at each point of access to the lot, with an area of not more than three (3) square feet, and internal direction signs, each with an area of not more than two (2) square feet, shall also be permitted. [Amended 2-7-95 by L.L. 95-2]

Task 2 Continued:

- ▶ **Village neighborhood density is basis for residential development on Marathon**
- ▶ **Seven dwelling units per acre consistent with Cold Spring's traditional neighborhoods**
- ▶ **Introduce housing option mix as recommended in Village Plan to respect traditional character**
- ▶ **Limit non-residential to between 5% and 10% of overall development**
- ▶ **Planning today must address new realities faced by environmental changes everywhere**
- ▶ **Changes in energy supply and use are coming**
- ▶ **New development will be around for 100 years or more - emphasize sustainable development**
- ▶ **Alternatives to single occupancy vehicles needed, especially with commuter transit**

Cold Spring - US Census of Housing - 2010 Unit Mix Percent

Measure	Number of Units	% of Total
Total Dwelling Units	967	100%
Single Family Detached Units	504	52%
Single Family Attached Units	71	7.3%
Two Family Units	124	13%
Multi-Family Units	268	27.7%

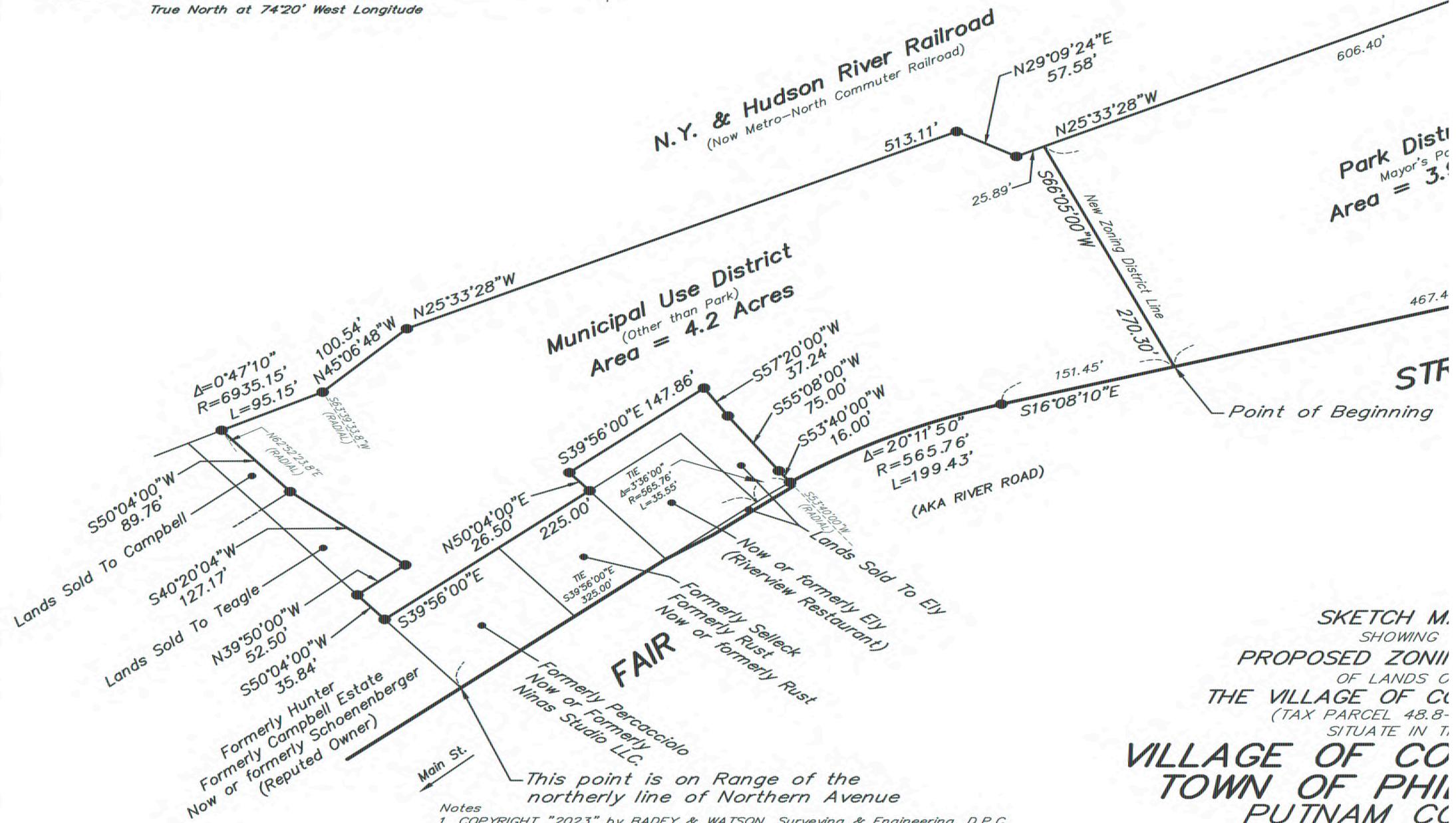
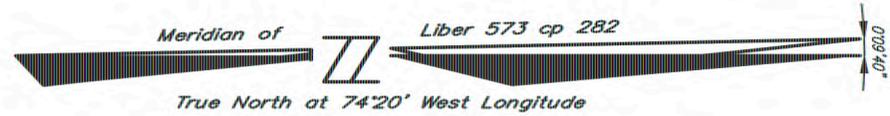
Task 3

Ensure Proper Protection for Mayor's Park:

- ▶ Mayor's Park and the Highway Garage parcel, like Marathon, currently zoned for industrial uses (I-1)
- ▶ Implement the LWRS and Village Comprehensive Plan policies
- ▶ *"Preserve Mayor's Park "* [Plan Goal 7.9]
- ▶ *"Rezone Mayor's Park to Recreation "* [Plan Policy 7.9.1]



On 03-20-2023
Closed by JWR/GJW
Drawn by MEY
Spell checked by MEY
Checked by GJW
Layout: SKETCH
Drawing Name: SK26705_R02_V22.DWG



SKETCH M.
SHOWING
PROPOSED ZONING
OF LANDS OF
THE VILLAGE OF COLD SPRING
(TAX PARCEL 48.8-1-24.1)
SITUATE IN THE
VILLAGE OF COLD SPRING
TOWN OF PHILIPPSBURG
PUTNAM COUNTY
NEW YORK

SCALE 1 in. = 100 ft.

- Notes
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 2. Unauthorized alteration or addition to a document prepared by a licensed land surveyor is a violation of Section 7209, Subdivision 2 of the New York State Education Law.
 3. This is not a survey.
 4. This map was prepared for the specific and limited purpose of providing information to the Village of Cold Spring required to differentiate the area of its property that is used for park purposes (Mayor's Park) from the area that is used for other municipal purposes (sewer treatment, parking, DPW yard).
 5. This map was compiled from deeds and maps of record and information in the accumulated files of Badey & Watson, including its own data and that of other surveyors.
 6. Revised on April 3, 2023, as follows:
a. Added data necessary to describe proposed park parcel.



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BADEY & WATSON
Surveying & Engineering
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LICENSE No. 48

Task 3

Strategies:

- ▶ Create new Parks & Recreation (PR) District
- ▶ Create new Civic (C) District
- ▶ Create new Educational, Religious & Cultural (EDC) District
- ▶ New districts recognize Village assets & Village Plan



Photo Source: Blaze Nowara

Completes work started by Special Board in 2006!

- Resident vision integrated throughout Proposed Zoning, aligning with 18 years of community efforts to provide new rules for Cold Spring
- 129 civic minded residents and other contributors volunteered their time during period
- *“All village land use regulations must be in accordance with a comprehensive plan.”* [Village Law § 7-722]
- Up to date Zoning affords the protections needed to adapt to today’s fast paced changes
- Provides both flexibility to change and rigor to protect the Village everyone loves
- Allows the Village to revisit State acceptance of a Local Waterfront Revitalization Program (LWRP) while providing other essential protections

Hundreds of hours and meetings spent working towards a common goal:

Goal 1: *“Preserve and enhance the small town, historic, neighborly, diverse and safe character of Village life.”*